

Docket No.: 95-444

091629057

Co/C
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No. 6,977,911 B1

GEEN, et al. : Issued: December 20, 2005

Title: SCALABLE VOICE OVER IP SYSTEM CONFIGURED FOR DYNAMICALLY SWITCHING CODECS DURING A CALL

CERTIFICATE OF CORRECTION TRANSMITTAL

Certificate Corrections Branch

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

The undersigned hereby submits the attached Certificate of Correction for issuance under 37 CFR §1.322(a)(1)(i), to correct the omission of application claim 28 from the Letters Patent.

Application claims 24-27 issued as patent claims 20-23, respectively. However, there exists no patent claim that depends from patent claim 23 (application claim 27).

Further, application claim 28 was pending as of the Amendment After Final filed July 22, 2005 (copy attached w/ stamped PTO receipt): application claim 28 was not identified by the Examiner in the Notice of Allowance, nor was there any indication in the prosecution history that application claim 28 should have been canceled.

Certificate of Correction Transmittal
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*Certificate
of Correction
MAY 21 2007
MAY 21 2007*

The errors specified in the attached Certificate of Correction were incurred through the fault of the Office, hence no fee payment is needed.

Respectfully submitted,



Leon R. Turkevich
Registration No. 34,035

Customer No. 23164

Date: May 17, 2007

Certificate of Correction Transmittal

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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTIONPage 1 of 1

PATENT NO. : 6,977,911 B1

APPLICATION NO.: 09/629,057

ISSUE DATE : December 20, 2005

INVENTOR(S) : David William Geen, Narasimha K. Nayak, and Tribhuvan Kambham

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please insert the following: --Claim 52. The system of claim 23, wherein the first interface specifies within the open channel message G.711 as the second compression.--

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Leon R. Turkevich
2000 M Street, NW, Suite 700
Washington, DC 20036

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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COMMISSIONER FOR PATENTS
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Attorney Docket No.: 95-444

Inventor(s): GEEN et al.

Serial No.: 09/629,057

Filed: July 31, 2000

**Title: SCALABLE VOICE OVER IP SYSTEM CONFIGURED FOR DYNAMICALLY
SWITCHING CODECS DURING A CALL**

Date Hand Carried: July 22, 2005

Stamp of the U.S. Patent and Trademark Office acknowledging
receipt of the following is requested.

Amendment After Final
Fee Transmittal Sheet

Papers hand delivered to Commissioner for Patents

Please return stamped receipt to:

Leon R. Turkevich, Esq.
2000 M Street, N.W., 7th Floor
Washington, DC 20036-3307



MAY 21 2007


 REPLY/AMENDMENT
FEE TRANSMITTAL

| | | | |
|-----------------|----------------------|---------------|--------------------|
| | Attorney Docket No. | 95-444 | |
| | Application Number | 09/629,057 | |
| | Filing Date | July 31, 2000 | |
| | First Named Inventor | GEEN | |
| | Group Art Unit | 2151 | |
| AMOUNT ENCLOSED | \$ 0 | Examiner Name | NGUYEN, Van Kim T. |

FEE CALCULATION (fees effective 12/08/2004)

| CLAIMS AS AMENDED | Claims Remaining After Amendment | Highest Number Previously Paid For | Number Extra | Rate | Calculations |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------------|------------------|--------------|--------------|
| TOTAL CLAIMS | 52 | 58 | 0 ⁽³⁾ | X \$50.00 = | \$0 |
| INDEPENDENT CLAIMS | 5 | 5 | 0 | X \$200.00 = | \$0 |
| Since an Official Action set an original due date of August 23, 2005, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$120); 2 months (\$450); 3 months (\$1020); 4 months (\$1590); 5 months (\$2160)). | | | | | |
| If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$130) + | | | | | |
| Total of above Calculations = \$0 | | | | | |
| Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28) - | | | | | |
| TOTAL FEES DUE = \$0 | | | | | |

(1) If entry (1) is less than entry (2), entry (3) is "0".
 (2) If entry (2) is less than 20, change entry (2) to "20".
 (4) If entry (4) is less than entry (5), entry (6) is "0".
 (5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

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 Charge "TOTAL FEES DUE" to the Deposit Account No., below.

AUTHORIZATION

If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 CFR 1.16 or 1.17 necessary to maintain pendency of the present application to:

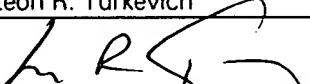
Deposit Account No.:

50-1130

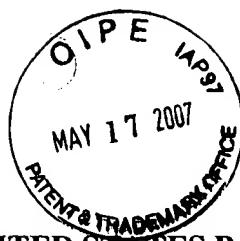
Order No.: (Client/Matter)

95-444

SUBMITTED BY: LEON R. TURKEVICH, ESQ.

| | | | |
|------------|-------------------------------------------------------------------------------------|----------|---------------|
| Typed Name | Leon R. Turkevich | Reg. No. | 34,035 |
| Signature |  | Date | July 22, 2005 |

MAY 21 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : **EXPIERIDED PROCEDURE**
GEEN, et al. : **UNDER 37 CFR §1.116**
Serial No.: 09/629,057 : Group Art Unit: 2151
Filed: July 31, 2000 : Examiner: NGUYEN, Van Kim T

For: **SCALABLE VOICE OVER IP SYSTEM CONFIGURED FOR DYNAMICALLY SWITCHING CODECS DURING A CALL**

AMENDMENT AFTER FINAL

MAILSTOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTION

In response to the Official Action mailed May 23, 2003, please amend the application as follows:

Amendments to the Claims begin on page 2;

Remarks begin on page 13.

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AMENDMENTS TO THE CLAIMS

1. (CANCELED).

2. (CURRENTLY AMENDED) ~~The method of claim 1~~ A method in a media server, the method comprising:

establishing a call having a first media channel with an IP telephony gateway, the first media channel configured for transmitting a first media stream according to a corresponding first compression;

initiating closing of the first media channel based on a request for a resource utilizing a second compression; and

starting for the call a second media channel, configured for transmitting a second media stream according to the second compression, upon closing the first media channel,

wherein the establishing step includes:

receiving a setup message from the IP telephony gateway on a call control channel;

exchanging compression capabilities information with the IP telephony gateway;

sending to the IP telephony gateway, on a media control channel, an open channel message requesting establishment of the first media channel according to the first compression based on the compression capabilities information; and

initiating transmission of the first media stream on the first media channel in response to an acknowledgment to the open channel message.

3. (ORIGINAL) The method of claim 2, wherein:

the receiving step includes receiving the setup message according to H.225 protocol;

the sending step includes sending the open channel message according to H.245 protocol;

and

the initiating transmission step includes sending the first media stream according to Real Time Protocol (RTP).

4. (ORIGINAL) The method of claim 3, wherein the sending step includes specifying in the open message the first compression as up to 8kbps.

5. (ORIGINAL) The method of claim 4, wherein specifying step includes specifying one of G.729 and G.723 encoding as the first compression.

6. (ORIGINAL) The method of claim 5, wherein the initiating closing step includes outputting a close channel message on the media control channel according to H.245 protocol.

7. (ORIGINAL) The method of claim 6, wherein the starting step includes sending on the media control channel a second open channel message requesting establishment of the second media channel according to the second compression, based on the compression capabilities information and reception of an acknowledgment to the close channel message.

8. (ORIGINAL) The method of claim 7, wherein the starting step further includes initiating transmission of the second media stream on the second media channel in response to an acknowledgment to the second open channel message.

9. (ORIGINAL) The method of claim 8, wherein the step of sending the second open channel message includes specifying in the second open message the second compression as greater than 8kbps.

10. (ORIGINAL) The method of claim 9, wherein the step of specifying the second compression includes specifying G.711 encoding as the second compression.

11. (ORIGINAL) The method of claim 2, wherein the initiating closing step includes outputting a close channel message on the media control channel according to H.245 protocol.

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12. (ORIGINAL) The method of claim 11, wherein the starting step includes sending on the media control channel a second open channel message requesting establishment of the second media channel according to the second compression, based on the compression capabilities information and reception of an acknowledgment to the close channel message.

13. (ORIGINAL) The method of claim 12, wherein the starting step further includes initiating transmission of the second media stream on the second media channel in response to an acknowledgment to the second open channel message.

14. (ORIGINAL) The method of claim 13, wherein:
the step of sending the open channel message includes specifying one of G.729 and G.723 encoding as the first compression;
the step of sending the second open channel message includes specifying G.711 as the second compression.

15. (CURRENTLY AMENDED) The method of claim [[1]] 2, further comprising transferring media data from a text to speech resource to the second media channel as the second media stream.

16-17. (CANCELED).

18. (CURRENTLY AMENDED) The system of claim 16, A system configured for providing media services to a subscriber over an Internet protocol (IP) telephony link, the system comprising:

an IP telephony gateway configured for establishing IP-based calls having media stream connections according to specified compression formats; and
a media server configured for establishing a call having a first media channel with the IP telephony gateway for transfer of a first media stream according to a corresponding first

compression based on determined capabilities between the media server and the IP telephony gateway, the media server configured for closing the first media channel and starting for the call a second media channel, configured for transmitting a second media stream according to a second compression, based on a request for a resource utilizing the second compression;

wherein the media server comprises:

(1) a first interface configured for establishing the call and transferring at least one of the first and second media streams on the first media channel and the second media channel, respectively, the first interface [[is]] configured for establishing the call by sending, on a call control channel, a connect message in response to receiving from the IP telephony gateway a setup message on the call control channel; and

(2) a second interface configured for receiving from the resource a media stream having the second compression.

19. (ORIGINAL) The system of claim 18, wherein the first interface is configured for closing the first media channel by sending, on a media control channel, a close channel message for the first media channel to the IP telephony gateway and based on an acknowledgment to the close channel message.

20. (ORIGINAL) The system of claim 19, wherein the first compression is at least one of G.729 encoding and G.723 encoding.

21. (ORIGINAL) The system of claim 19, wherein the first interface is configured for starting the second media channel by sending, on the media control channel, an open channel message for the second media channel that specifies the second compression and based on closing of the first media channel.

22. (ORIGINAL) The system of claim 21, wherein the first interface specifies within the open channel message G.711 as the second compression.

23. (CANCELED).

24. (ORIGINAL) ~~The server of claim 23~~ A media server comprising:
a first interface configured for establishing with an IP telephony gateway a call having a
first media channel configured for transmitting a media stream according to a first compression,
the first interface configured for initiating closing of the first media channel and starting for the
call a second media channel, configured for transmitting a second media stream according to a
second compression, based on a request for a resource utilizing the second compression; and
a second interface configured for receiving from the resource a media stream having the
second compression,

wherein the first interface is configured for establishing the call by sending, on a call control channel, a connect message in response to receiving from the IP telephony gateway a setup message on the call control channel.

25. (ORIGINAL) The server of claim 24, wherein the first interface is configured for closing the first media channel by sending, on a media control channel, a close channel message for the first media channel to the IP telephony gateway and based on an acknowledgment to the close channel message.

26. (ORIGINAL) The server of claim 25, wherein the first compression is at least one of G.729 encoding and G.723 encoding.

27. (ORIGINAL) The server of claim 25, wherein the first interface is configured for starting the second media channel by sending, on the media control channel, an open channel message for the second media channel that specifies the second compression and based on closing of the first media channel.

28. (ORIGINAL) The system of claim 27, wherein the first interface specifies within the open channel message G.711 as the second compression.

29. (CANCELED).

30. (ORIGINAL) The medium of claim 29 A computer readable medium having stored thereon sequences of instructions for establishing an IP-based call for providing calling services to a subscriber, the sequences of instructions including instructions for performing the steps of:

establishing a call having a first media channel with an IP telephony gateway, the first media channel configured for transmitting a first media stream according to a corresponding first compression;

initiating closing of the first media channel based on a request for a resource utilizing a second compression; and

starting for the call a second media channel, configured for transmitting a second media stream according to the second compression, upon closing the first media channel,

wherein the establishing step includes:

receiving a setup message from the IP telephony gateway on a call control channel;

exchanging compression capabilities information with the IP telephony gateway;

sending to the IP telephony gateway, on a media control channel, an open channel message requesting establishment of the first media channel according to the first compression based on the compression capabilities information; and

initiating transmission of the first media stream on the first media channel in response to an acknowledgment to the open channel message.

31. (ORIGINAL) The medium of claim 30, wherein:

the receiving step includes receiving the setup message according to H.225 protocol;

the sending step includes sending the open channel message according to H.245 protocol;

and

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the initiating transmission step includes sending the first media stream according to Real Time Protocol (RTP).

32. (ORIGINAL) The medium of claim 31, wherein the sending step includes specifying in the open message the first compression as up to 8kbps.

33. (ORIGINAL) The medium of claim 32, wherein specifying step includes specifying one of G.729 and G.723 encoding as the first compression.

34. (ORIGINAL) The medium of claim 33, wherein the initiating closing step includes outputting a close channel message on the media control channel according to H.245 protocol.

35. (ORIGINAL) The medium of claim 34, wherein the starting step includes sending on the media control channel a second open channel message requesting establishment of the second media channel according to the second compression, based on the compression capabilities information and reception of an acknowledgment to the close channel message.

36. (ORIGINAL) The medium of claim 35, wherein the starting step further includes initiating transmission of the second media stream on the second media channel in response to an acknowledgment to the second open channel message.

37. (ORIGINAL) The medium of claim 36, wherein the step of sending the second open channel message includes specifying in the second open message the second compression as greater than 8kbps.

38. (ORIGINAL) The medium of claim 37, wherein the step of specifying the second compression includes specifying G.711 encoding as the second compression.

39. (ORIGINAL) The medium of claim 30, wherein the initiating closing step includes outputting a close channel message on the media control channel according to H.245 protocol.

40. (ORIGINAL) The medium of claim 39, wherein the starting step includes sending on the media control channel a second open channel message requesting establishment of the second media channel according to the second compression, based on the compression capabilities information and reception of an acknowledgment to the close channel message.

41. (ORIGINAL) The medium of claim 40, wherein the starting step further includes initiating transmission of the second media stream on the second media channel in response to an acknowledgment to the second open channel message.

42. (ORIGINAL) The medium of claim 41, wherein:

the step of sending the open channel message includes specifying one of G.729 and G.723 encoding as the first compression;

the step of sending the second open channel message includes specifying G.711 as the second compression.

43. (CURRENTLY AMENDED) The medium of claim [[29]] 30, further comprising instructions for performing the step of transferring media data from a text to speech resource to the second media channel as the second media stream.

44. (CANCELED).

45. (CURRENTLY AMENDED) ~~The server of claim 44 A media server comprising: means for establishing a call having a first media channel with an IP telephony gateway, the first media channel configured for transmitting a first media stream according to a corresponding first compression;~~

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means for initiating closing of the first media channel based on a request for a resource utilizing a second compression; and

means for starting for the call a second media channel, configured for transmitting a second media stream according to the second compression, upon closing the first media channel,

wherein the establishing means includes:

means for receiving a setup message from the IP telephony gateway on a call control channel;

means for exchanging compression capabilities information with the IP telephony gateway;

means for sending to the IP telephony gateway, on a media control channel, an open channel message requesting establishment of the first media channel according to the first compression based on the compression capabilities information; and

means for initiating transmission of the first media stream on the first media channel in response to an acknowledgment to the open channel message.

46. (ORIGINAL) The server of claim 45, wherein:

the receiving means is configured for receiving the setup message according to H.225 protocol;

the sending means is configured for sending the open channel message according to H.245 protocol; and

the initiating transmission means is configured for sending the first media stream according to Real Time Protocol (RTP).

47. (ORIGINAL) The server of claim 46, wherein the sending means is configured for specifying in the open message the first compression as up to 8kbps.

48. (ORIGINAL) The server of claim 47, wherein specifying means is configured for specifying one of G.729 and G.723 encoding as the first compression.

49. (ORIGINAL) The server of claim 48, wherein the initiating closing means is configured for outputting a close channel message on the media control channel according to H.245 protocol.

50. (ORIGINAL) The server of claim 49, wherein the starting means is configured for sending on the media control channel a second open channel message requesting establishment of the second media channel according to the second compression, based on the compression capabilities information and reception of an acknowledgment to the close channel message.

51. (ORIGINAL) The server of claim 50, wherein the starting means is configured for initiating transmission of the second media stream on the second media channel in response to an acknowledgment to the second open channel message.

52. (ORIGINAL) The server of claim 51, wherein the sending means is configured for specifying in the second open message the second compression as greater than 8kbps.

53. (ORIGINAL) The server of claim 52, wherein the sending means is configured for specifying G.711 encoding as the second compression.

54. (ORIGINAL) The server of claim 45, wherein the initiating closing means is configured for outputting a close channel message on the media control channel according to H.245 protocol.

55. (ORIGINAL) The server of claim 54, wherein the starting means is configured for sending on the media control channel a second open channel message requesting establishment of the second media channel according to the second compression, based on the compression capabilities information and reception of an acknowledgment to the close channel message.

56. (ORIGINAL) The server of claim 55, wherein the starting means is configured for initiating transmission of the second media stream on the second media channel in response to an acknowledgment to the second open channel message.

57. (ORIGINAL) The server of claim 55, wherein the sending means is configured for specifying one of G.729 and G.723 encoding as the first compression, and G.711 as the second compression.

58. (CURRENTLY AMENDED) The server of claim [[44]] 45, further comprising means for transferring media data from a text to speech resource to the second media channel as the second media stream.



REMARKS

Entry of this amendment and allowance of the above-referenced application are respectfully requested. Claims 1, 16-17, 23, 29, and 44 are canceled without prejudice or disclaimer. Claims 2, 15, 18, 24, 30, 43, 45, and 58 are amended, and claims 2-15, 18-22, 24-28, 30-43, and 45-58 are pending in the application.

The indication of allowable subject matter in claims 2-15, 18-22, 24-28, 30-43, and 45-58 is acknowledged with appreciation. Claims 2, 18, 24, 30, and 45 have been rewritten in independent form to place the application in condition for allowance.

The rejection of claims 1, 16-17, 23, 29, and 44 under §102(e) in view of Schaffer is moot in view of the foregoing.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R.

1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-444, and please credit any excess fees to such deposit account.

Respectfully submitted,



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Date: July 22, 2005

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